

LAKE COUNTY PLANNING BOARD
October 21, 2009
Hidden Canyon Lookout Site Visit
Meeting Minutes

MEMBERS PRESENT: Bob Kormann, Fred Mueller, Harlan Gipe, Joyce Funda, Brian Anderson (beginning at stop #2)

STAFF PRESENT: Sue Shannon, Joel Nelson, Lita Fonda

OTHERS PRESENT: Julie Fisher (neighbor to the north and west), Steve Rosso (neighbor), Terry Gore (fire chief, Rollins district), Bob Bonner (applicant), Marc Carstens (agent/surveyor), Bryan Long (agent/engineer), Bob Gordon (agent/engineer)

Stop #1 (the meeting point):

Bob Kormann called the special meeting to order at approximately 4:10 pm. The purpose of the meeting was to have a site review of the Hidden Canyon Lookout major subdivision. He asked for everyone to identify themselves and they did so. Bob overviewed the site visit. Planning board members would carpool in the County vehicles. He described that Joel had specific stops, where Planning Board could ask questions, the developer could discuss what's relevant and discussion would be opened to the public for questions. There would be no Board action or decisions at this meeting. Sue noted the Planning Board would not have discussions in the vehicles. The discussion would be kept for when everyone is together. Bob noted the meeting would be recorded and minutes would be posted.

Joel Nelson explained he would take the group on a tour of the property. Marc Carstens said they were basically here to answer questions and learn of additional concerns, and to shed light on concerns if they can. They were happy that no decision would be made today and were not prepared to ask for decisions today. Joel said the main purpose of today was to familiarize them with the property and orient themselves on the maps. Joyce asked Bob K if the public hearing on this was on Dec 9. Bob K understood this to be so at this point. Joel explained there was a Board of Adjustment hearing relative to the project on Nov. 18. Fred Mueller asked what was being requested at the BOA. Joel said this was for a conditional use for slope disturbances. They had an existing approval and wanted some clarification. The current permit was for up to 4 acres of disturbance of slopes exceeding 25%. They would like to have that amended to allow 4.7 acres. Joel asked if anyone needed a map. Those who had packets already had maps. Sue alerted members of the public that there were rough areas in the road. They may want to take the best vehicle and travel together if they're comfortable with that. Joel added there was one area with some drainage issues and some channeling across the road.

Stop #2:

This stop was on a switchback between lot 1-A and open area #2, and also lot 3-A. Joel noted that lots 2A and 3A were the exempt lots in the boundary line adjustment survey. He oriented people to the current location on the map, at one of the switchbacks. They were on subdivision property, but not to the subdivision lots. Sue noted this was all open area in the subdivision.

Fred asked who was building the road. Marc Carstens said that Bruce McKay was the contractor. Joel suggested that Bryan Long could talk about the rock retaining walls and road materials. His purpose with this stop was to discuss curve radii, road grade, walls and materials.

Bryan said the road was still under construction, and still needed lots of work. With the rock walls, the original design had cutback slopes of 2 to 1 on all the [inaudible] hill slopes. A lot of that was a lot steeper than that right now. They're aware that the roads still need a lot more work. This gravel placed on the road was sampled for public works standards and met the standards. He indicated the only stretch along which there was presently gravel. Sue asked if this was the base material, and Bryan affirmed. Bob B said they did this so if it were wet or rainy there would be some areas that weren't washed out. Sue asked if they were using this gravel as a base material. Bryan said yes. Sue noted the County standard was 4 inch minus. Bryan said this was 4 inch minus.

Joyce asked how wide the road would be. Bryan recalled the finish road width was 26' with 2' shoulders on either side per design. Fred asked about the gravel thickness. Marc thought it was 1 foot of base material. The original plans called for 3 inches of $\frac{3}{4}$ minus crush. That's outside of the County standards of 4-inch $\frac{3}{4}$. The plans would be brought into compliance with that number.

Bob K asked if the rock wall would stay. Bryan Long answered it would be coming out. There would be additional sloping back to stabilize up the slopes. Bob K asked where the power easement would be. Marc indicated the face it would come up, per preliminary conversations with the power company. This was one of the reasons they would like to go back to the Board of Adjustment. Not only did they need some clarification of the 4-acre usage or disturbance, they'd gotten the power line and sewer lines going in on slopes over 25%. They would recover those surfaces back to their natural states, but they'd be disturbed. It would come up the face indicated, and pick up on the road network. They're reserving easements on all the lot lines as well for utility purposes. Joyce asked if it would all be underground. Marc affirmed.

Bob B asked regarding the switchbacks if there would be guardrails for icy conditions. Bryan Long explained the road would be crowned to the cut side of the road. Joyce asked for clarification. Bryan replied that generally roads are built with the crown in the middle. They would be tipping the crown towards the uphill side to help eliminate the problem with icy and sliding. Bob B added that the plan was to have boulders or such along the outer edge. The amount would vary, around 3 to 8' around the outside edge, where they'd have something that's very visible. There would be a drainage ditch along the left side. When it rained the water would go into the ditch and run down the side. There would be places with culvert crossings. They didn't want the road sloping to the right with ice.

Joyce asked if the runoff would go into the lake or if it would stop on this side of the highway. Bob B mentioned a big retention pond in the front near where people had parked. It was DEQ required. As you went around the other switchback, the invert would then be on the outside or the left as the group goes back. There's another retention pond. Bryan explained that from the canyon in this direction, they'd already received DEQ approval on stormwater plans, when they did the original boundary line adjustment portion of the property. Joyce asked what happened to

the water in the retention pond. Bob B replied that generally 90% of the water didn't get there, but they needed it for the case of the 100-year rain, where they have to have it to hold what doesn't get soaked in along the way. (Brian Anderson joined the group around this time.)

Bob B checked that people were familiar with the history of the parcels being a 4-lot property of about 25 acres each. They wanted to have 3 small lots and 1 large one, to sell the smaller ones for funds to pay off the loan. They went in front of the Commissioners to say the 3 lots would be treated so they met all the subdivision regulations. The new lots would also be built to county specifications. Marc said the plan was that by the time things were done, the boundary adjustment lots will adhere to the same standards, with the same covenants as the subdivision. Joyce asked if they could project what the build out time would be for full build out. Bob B said originally they thought 2 to 3 lots would sell per year for a 4 to 5 year deal. They couldn't sell lots in the subdivision yet. Joel noted the final plat on the 3 boundary line adjustment lots had been recorded. Joyce asked Bob B if he anticipated that the purchasers would be second homeowners. Bob B thought 1/3 to 1/2 would be seasonal, and 2/3 to 1/2 would be year-round retirees.

Steve Rosso asked if there was a cut on the outside of the first switchback. Bryan Long replied it daylighted just as you came in to the cul-de-sac and built to a cut. As you came into the upper end of the cul-de-sac, there's still some slope work that needs to be done. Steve R asked if there were issues of slope subsidence from or into the neighboring property. The easement was right on the property edge? Bryon replied the design allowed them to do the cut back slopes with roughly a 5 to 10' buffer from the property. Steve R said the fill and beginning of the corner could run off into the neighboring property. As you came around, if the slope was cut too steeply, you could have a landslide that could peel away the neighboring property if it's too close. He thought Bryan was saying it wasn't too close, and that neither of these things would happen. Bryan affirmed.

Julie Fisher explained the dirt really did slide in this part of the highway. Traffic was stopped for a couple of days at the [highway] cut when there was a landslide. Steve detailed that in the mid 90's, after the highway was installed in the late 80's, the rock cut on the highway failed and ran out onto the highway, just north of this property. It was a pretty severe fracturing of the rock.

For a visual, Bryan said the section of slope behind the group was at 2 to 1. Other sections were steeper than what's designed. What's behind the group was generally what all the back slopes would look like. Marc added the magnitude of the cut on Hwy 93 was more significant than any that will be generated here. It wouldn't have as much of an overburden load here as it did along hwy 93. Bryan and others commented further on this.

Bob B repeated the road would be 26' wide with 4' of shoulders. There would be drainage swales to the left roughly 10' wide, with 18" depth. The prior road builder did put stuff up to reduce erosion, but he brought it out too far and covered up where the ditch is, so they're going to be moving that rock out of there. They're talking about utilizing that rock in some way when they slope it back. Bryan thought they might be setting them on the slope rather than stacking them vertically.

Terry Gore gave his perspective as fire chief of the district, and as someone who drove a concrete mixer truck for 30 years, that one way in and one way out was always a problem. This was one of the many in a long list with one way in and one way out, so it wasn't a big deal. It's wide enough that they could get a couple of rigs in here and people could get out of the way. The width was better than the Shelter Bay subdivision. For the grade, most of the people in the department were mountain people and used to going up steep hills. The density of the forest: you're going to stop at the bottom of the road if there's a residential or forest fire and make a determination as to whether it's safe or not. So far, he didn't have more of a concern than with the rest of the district. Joyce asked what kind of a property or lot would cause him to paint the rock red and not go there. He replied if the house was about 200 yards in and couldn't be seen through the timber, and the branches were banging on the mirrors if you did go in. For the lots here, they'd generally back down the driveways rather than going in headfirst. 90% of the places didn't have a turnaround unless the garage is empty.

Joyce asked what would happen if there was a wildland fire in the canyon. Terry G said they would talk about the canyon. Bob K asked if there was other ingress or egress. Bob B replied there were no other legal ones. Joyce asked what Terry would like to see as far as water. Terry said if it were a perfect world, he'd like to see a well system with a couple of big cisterns with a hydrant set up. It's not a perfect world. The next thing would be maybe midstream to have a concrete cistern in the ground, 10,000 gallons with a dry hydrant, where they could fill a truck. Or a couple of flagmen down here so they could cross the highway to the lake, get water and go back and forth. For the other subdivisions, they said to write in some money in per lot, and eventually they'd be able to get more water tenders, so you'd have more water, but then you get more trucks than you have people.

Marc said DNRC had come up with fire rating forms. He asked Joel if he'd given information out about that. Joel replied he just got the form. It went from low risk to moderate. Marc said it went to moderate, but was still mitigatable with the end of the road. It was one point into moderate, and they could gain points with how they have the cul-de-sac. A loop would take them back into low. If they had a cul-de-sac bulb with a 60' radius, they're in the moderate. A hammerhead would take them back into the low. There were a couple of things they can mitigate to take it back to the low in the DNRC writing. Joyce asked if this included the canyon. Marc affirmed. Bob B said when the canyon was finished, Bob Miller would consider the canyon a fire break not a fire risk. There's a little bit of material on the sides. It wouldn't be with 60 mph winds. [?] said that generally a canyon, box canyon or trough will get the wind going. That's usually a red flag warning. It might be an escape place, to deploy your fire shelter. Bob K asked about the location of lot 1, and Bob B and others described its location. Bob K asked if they didn't have any potential home sites on top of ridges. Joel overviewed next they would drive past the exempt lots, but would not stop, then driving through the canyon to lot 4. Bob B thought they might want to stop at the canyon.

Stop #3:

This stop was near the juncture of lots 7, 4 and 2-A. Fred asked about erosion problems, and what they would do. Bob B said the material to the rock face would be removed. Bryan Long described how they took samples from the shale and ran tests on it for the base material and found that it fit. The intent was the road would be wider this direction and wider that direction

with a bunch of clear space back on this side for some additional storage for some slough. Joyce asked if they were going to dig all that out, and what was under it. Bob B said it was a lot of the road base. It would be removed to the rock wall. Fred thought the shale rock would break down. Steve Rosso checked that they were expecting that rock wall to continue down and meet up with a rock wall down below, as they uncovered it. Bob B said that was what they expected. Fred said it was most likely that rock went clear down. Bob B noted that Bryan had to sign off when the roads were done.

Bob B said the road would be 26' wide, with more than 2' on both sides. They would have big rocks, which hopefully would look better than the cement barriers on the highway. Bryan said there would be quite a bit of clear space behind it to fill up with erosion down the road. Marc added there would be provisions for the homeowners association to do maintenance.

Joel asked how much base the group was standing on. Bob B didn't know. He guessed a few feet. It was an old logging road. They had to smooth the ups and downs to keep the 8% grade. Julie Fisher and Steve Rosso talked about the previous road. Steve pointed to the vegetation for an idea of slope. The road had been much narrower. Joyce asked if the use of the space here was simply a thoroughfare to get to the lots, or if something would be built here. Bob B replied the road would be built here, and then on the right side, there would be large rocks for an attractive retaining wall once the material was gone. Steve asked if this spot was the stormwater retention easement area that was marked on the drawing. Bob B thought this was a little farther up. Fred asked about the well the group had gone by. Bob B said they were in the high 2's or low 3's. Marc asked how much was produced. Bob B replied it produced something like 17 or 18, enough for single-family residences. He said they had to have the well in here a while back. That's for the middle lot. Joel said that was an Environmental Health/ DEQ issue. Bob B said the well would be included when they sell the lots. Fred asked if every lot had a well. Bob B said that would be included in the price, unless the buyers wanted to give less for the lot and drill their own well.

Fred, Bob B and Terry Gore talked about the terrain and wind. Bob B referred to the point Terry made that if it was too windy, you lose the firebreak benefit. Terry said there was lots of open, but if you got some snags burning up there, they will come down. Bob B added there was lots of lightning. He described that Bob Miller mentioned a fire would start from the highway. Because of the switchbacks, that was a wonderful thing. But with a lightning strike up here, they're in the 90/10 program now for fuel reduction for 38 acres. Joyce said her one of her two concerns was fire. There was one road. She was concerned a fire that could jump from one subdivision to another. Terry compared fires to floods, where you may have a 100-year fire. It wasn't impossible, but it wasn't as likely. Joyce's second concern was although it's beautiful, should the houses be put there, what with the slopes and so forth. Hopefully people buy knowing. Terry referred to the push on the urban interface. The training was really going to urban interface. People were going to build houses out there. They tried to learn and do what they could to mitigate the dangers, do training and know when and when not to go in. And the homeowner had to [inaudible].

Joyce asked about the 25% limit on the slopes in the subdivision regulations. Fred mentioned sliding houses. Sue replied you wanted to make sure the house was structurally sound. Planners

look at access to the home, and typically seek fire department comment. They would want architectural certification. Fred added most contractors wouldn't drill down to bedrock or whatever on those slopes.

Stop #4:

This stop began at the driveway for lot 4. Bob B said this would be an actual 24'-wide road, because it went to 2 lots. They'd initially asked for 3 separate driveways. It was against County regulations to have a driveway that's not on a lot at all and goes across another lot to get to itself. Joel pointed out this was the driveway for lot 4, and pointed out lot 7 to the south. Lot 6 was below, and lot 5 up above. Bob said lot 4 was up on the crown. Various people oriented to various landmarks, and pointed items out. The group gradually diverged into a few informal discussion groups about the surroundings and history. (Editors Note: These notes represent what I gathered from the groups.) Marc pointed out a snag (dead tree) to Joyce, which the eagle people felt was of significance as a perch tree for the eagles before they go hunting. Joel explained the eagle people said the road builders observed the eagles there. Marc said the eagle nest was quite a distance. Joel pointed out where the distant pine was. The group would have a better look later. Marc said no one had seen the eagles in it yet this year. Bob explained this was a non-nesting time of year. Eagles would nest and then skip a year or two. They had multiple nests in most cases. It could be a different pair that comes there first. Bob Gordon provided more orientation to sites and locations. Fred thought if a road was near the snag, someone would cut it down for firewood. Joyce asked about wildlife. Bryan Long confirmed there were elk and deer. Julie Fisher said there were no grizzly but she'd seen everything else, including moose in her front yard. Bob B said the covenants included a wildlife section.

Stop #5:

The group walked down the road from Stop #4 to arrive at Stop #5. Marc described a significant engineering issue that was here, dealing with the construction of the road from here to the end of it. There was some over-eagerness with equipment. If you looked off this road, you could see a vegetative line, where the edge of the old road used to be. They were concerned about the material to the right of that. Bryon Long said the problem was the material was placed over there without a lot of compaction. You could notice how it was starting to slough off. Their intent was to use that row of vegetation as the right-hand edge of what they considered stable. They would build the road from there to the left, in towards the hill. There would be quite a bit of earthwork that went on from here forward to rebuild the road. As they go into the hill with the road, they would also elevate the finished surface of the road, so they would still have access into the uphill lots. The road base would all be on native material that was just cut down to grade where they needed it. Fred asked if the little slope or dip here would be taken out. Bryan said good chance. It was actually quite a dip from there back to high point here. He thought they had some storm drainage culvert across here. With this phase of the subdivision they had a substantial holding pond planned for quite a ways down in the bottom that everything should collect to. Bob B reminded of the 18-inch deep drainage swale, 8 or 10' wide, on the left hand side, where the water should drain. Bryan said the group would notice from here toward the very end, that this material here had a couple of feet. He pointed out the end. Marc estimated the end was 750' away.

Bob K asked if there were unforeseens here, in Bryan's opinion, that might happen. Bryan didn't see problems from here forward along this stretch. They might run into some rock to jackhammer. Generally along this stretch, they didn't run into bedrock. They'd already spotted a few drainfields, with the environmental portion of preliminary plat.

Sue asked about cutting into the hill more than they had originally planned. Would it impact these building sites or cause problems cutting in the driveways to the building sites? Bryan replied as it was moved in a particular direction, it would be moved uphill as well so they didn't create worse grades going up in to lots. It would be wider by about 15' so that shouldn't inundate the home sites. He pointed out a staked drainfield. Sue checked about the setback from drainfields to a cut slope with Bryan. He noted on the drainfield at hand, it would have to shift back, as would the building site. Bob B said the building sites weren't in stone. A buyer could move their building site. They'd have to get through County approval if there was some problem with it.

Bob K asked about lot 10. He asked about the drainfield running across the road. Bob B said it was way underneath. Bryan pointed out some other pipes and alignments. Sue asked if these would be built before final plat, so the owner would know where to hook up when he wanted to build. Bryan doubted they would be built. The owner would have a DEQ approval that would say 'here's the footprint for your drainfield—you have to put it here. Sue and Bob K checked that he would not be digging up the road. Bryan explained they would put 4-inch sleeves under the road.

Bob K checked about County standards for setbacks for a house from the road. Sue replied the area was zoned, but there wouldn't be a setback from the road. It would be from the property boundary.

Bob K asked Bryan how much higher the road would be. Bryan guessed the road would be in the vicinity of 2 to 3'. Marc said this would be a part of the engineered plan that they would have when they reconvened on this subject. Bryan said they have a picture of what was here now, and they were working on a picture of what it would look like when it's done. Bryan noted they were thinking about a possible trail easement. Marc asked what they planned to do with the stuff that would slump. Bryan said they weren't planning on doing a whole lot over there. They were planning on compacting the sloughy stuff and throwing some grass seed on it. It would be outside of where their road base was.

Site #6:

This stop was at the cul-de-sac at the end of the road at lot 12, near the roughed in driveway most likely to the intended building site for lot 12. Joel also pointed out the apparent driveway for lot 11, and oriented the group, and pointed out the Ponderosa pine tree with the eagle's nest that Marc said may or may not be occupied. Bob B estimated that the property line was $\frac{2}{3}$ to $\frac{3}{4}$ up the ridge. He noted the covenants only allowed house building on the outside from September through January. The interior work could happen at other times. Roadwork was also limited beyond a tree that Bob B pointed out. Joyce asked Marc about his opinion there were no eagles there. Marc clarified that he, the road builders and Joel had not seen eagles there. Marc had a

field man walk in and get the location to get to the eagle people. The nest was occupied at that time.

Bob K asked about Bob Miller and mistletoe in the tamaracks. Bob B said that was part of the fuel reduction. They were marked and would be trimmed out. Terry said he was up in the area fighting fires before, but came in through Wild Horse Shore area where a different road came up to the top before the subdivision road. How close do those meet? Regarding boundaries, Julie Fisher didn't know exactly where the line was. The fence went up the hill. Steve Rosso asked how wide the state land was. Was it a full section to the south? Joel didn't think so. He thought there were maybe 300 acres on this side of the highway, and then it went across the highway. Steve thought Wild Horse Shores butted up against the state land on the other side, so Wild Horse Shores was about a half mile at least that way.

Bob K asked about the County standards for width and grade for driveways. Joel replied the County did not have standards for those currently. Bob K asked Terry as fire chief what he would want to see for a driveway to the nearby lot. Was the grade too steep to get a tender up there? Terry said it depended where the house was. If the house were in the area with the rock, you wouldn't be going up there. You'd be hard pressed to go up that driveway the way it is. You'd need 16 to 18 feet and then a T or a turnaround. If you knew it's short enough to back up, you were fine. If someone happened to drive up it who didn't know, then they're panicked to try to back out. Bob K asked if this driveway wasn't constructed right, you could get up here and not reach the house. Terry said he could reach the house, but safely was the question. Fred asked if Terry would agree it was steep enough that it would start hopping with the truck. Terry said especially on the corner, when you started making the switchbacks. Terry pointed out the one he thought was the worst (for lot 11). Marc mentioned he and Joel spoke earlier to see what driveway standards were proposed or adopted for some other subdivisions, such as Timberlands, for a starting point. Terry said the turnaround with the tree was a good landmark, and the width was good here. The responding mutual aid people could be told to come to the turnaround with the tree in the middle of it and stage there. Joel mentioned the subdivision regulations wouldn't allow the tree to remain. Terry said he and Fred had both seen that when a road was close to a tree where a house was being built, the trucks and so forth run in for a year, and the tree roots die. Then it's a lot harder to take the tree out.

Julie Fisher was concerned about the roads and ice in winter. Bob B said all they could do was slope the road a little bit to the right, so the water comes to the ditch. Julie was also concerned about erosion when rains come and the snow melts. Julie said it was so many lots for such steep terrain, and the slopes. This was sort of scary.

Stop #7 (wrap-up):

Bob K said he would like to see something in the final design elements to prevent houses from being built on top of the ridge. Bob B said this would apply to lot 4 then. Steve Rosso thought there was something in the Upper West Shore zoning to prevent that. Sue didn't think there was something for setback. Marc didn't think there was something on skylining in the zoning, but they would re-review the zoning and also lot 4. He wasn't in favor of hood ornaments either.

Fred said the soil was going to slough, and if left naturally, it was going to run. He would like to see some of that material pulled up, and compacting started down at the bottom and compact it up, and kind of shelve it. Bryan was sure there would be a substantial amount of dress-up on that softer stuff, with some seeding and vegetation on that. It would not be left bare dirt. Fred suggested using some of the burlap with seeds in it to hold the soil

Bryan added they intended to show a plan of where the road was now, versus where the road would be in final construction phase prior to the hearing. Bob B said they would show this to Joel and Sue before the hearing.

Marc said if the Board had issues that required them to reconsider or look deeper into it, they would probably request additional time to go do that. This was a difficult site. It had the ability to be an incredible place and it would take extra care and consideration to get there. If the Board would work with them, they would be happy to work with the Board. Bob K checked about their final road plan. Bryan said he would show how it was right now, and an overlay picture that show what it would look like when it's complete.

Terry Gore said probably a concern of the homeowners association would be winter maintenance. When they talk to insurance people about insurance on a home up here, they're talking year-round. If there wasn't a hard-set plan in force, if even one person lived here at the upper place, have somebody hired to make sure the roads are clear. Fred noted the rocks would look nice, but would be hard on snow removal. Marc said they did have a 10'-wide swale, and once around the corners, there probably wouldn't be a rock on the downward slopes.

Joyce expressed appreciation and thanks for the visit. The visit helped tremendously in looking at the project. Bob K thanked people and ended the field visit at approximately 6:15 pm.